

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:09-CR-29
)	(PHILLIPS/SHIRLEY)
JORGE LUIS LUA,)	
)	
Defendant.)	

DETENTION ORDER

This matter came before the Court on March 12, 2009, for a detention hearing. Assistant United States Attorney Kelly Norris was present representing the Government. Attorney Kim Tollison was present representing the Defendant, who was also present. The Court heard the testimony of: Knox County Police Department Sergeant Tom Walker; Knox County Probation Officer Carl Harmon; ATF Agent Rebecca Bobich; Sharon K. Lua, the Defendant's mother; and Stephanie Nicole Lua, the Defendant's wife. The Court also heard the Defendant's proffer and the arguments of the parties. Thereafter, the Court announced its ruling.

In the Court's oral ruling, a complete review and analysis of the parties' positions, issues, and facts were stated. That specific and detailed oral ruling is attached hereto and made a part of this Order as if stated herein verbatim.

For the reasons stated therein, the Court finds the Government has met the burden of establishing by clear and convincing evidence that the release of the Defendant would pose a danger to others, specifically the Defendant's wife, and the safety of the community.

It is therefore **ORDERED** that the Defendant, Jorge Luis Lua, be detained. He is committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting sentencing or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of this Court or a Court of the United States or upon request of the attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshals for the purpose of an appearance in connection with a Court proceeding.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge